THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO. 918 OF 2007

Date: 12.11.2007

Between:

The Depot Manager, APSRTC, Siddipet Depot, Medak District.

... Appellant/Petitioner.

And

Sri S.B. Chary, S/o Narasaiah, H. No. 12/1290 (PL), Bharathi Nagar, Siddipet, Medak District and another.

... Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
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ORDER: (per Hon'ble Sri Justice Bilal Nazki)

During the course of enquiry it was found that the conductor of the bus had not given tickets to three passengers, but it was also recorded that he had not collected fare from them. An explanation was given that during the journey it was found that the radiator of the bus was getting heated up and he had continuously watered it. Therefore, in these circumstances he could not issue tickets to the passengers. The competent authority after enquiry passed an order of removal from service. The labour Court, however, found that there was negligence on the part of the conductor of the bus but found that the punishment was disproportionate and therefore modified the punishment of removal from service with the one to reinstatement with all benefits including continuity of service but limiting the pay for the period during the order of removal to 25% of the period. We are told that the reinstatement was ordered by the labour Court in February 1996 and the first respondent was also reinstated accordingly and he is working in the department.

For the reasons given by the labour Court as well as the learned Single Judge and keeping in view the fact that the first

respondent is now working again for the last 11 years in the department, we do not think that this matter needs any further interference by us. The Writ Appeal is accordingly dismissed.

BILAL NAZKI,J

Date: 12.11.2007

RAMESH RANGANATHAN,J

MRKR